

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

MAY 19
WILLIAM M. McCOOL, Clerk
By *[Signature]* *20/16*
Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

CR 16-154 TCC

INDICTMENT

v.

NICHOLAS HOGAN,

Defendant.

The Grand Jury charges that:

COUNT 1

(Deprivation of Rights under Color of Law)

On or about May 20, 2011, in Seattle, and elsewhere within the Western District of Washington, NICHOLAS HOGAN, while acting under of color of law, deployed Oleoresin Capsicum spray against M.S., a person known to the grand jury, while M.S. was under arrest and shackled, by four-point restraints, to a hospital gurney, thereby willfully depriving M.S. of the right, secured and protected by the Constitution and the laws of the United States, to be free from unreasonable searches and seizures, which includes the right to be free from the use of unreasonable force by a law enforcement officer, and the offense resulted in bodily injury to M.S.

1 All in violation of Title 18, United States Code, Section 242.
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3 A TRUE BILL:
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5 DATED: *5-19-2016*
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*Signature of Foreperson redacted pursuant
to the policy of the judicial conference*

FOREPERSON

R. O. Carl Jr.

ANNETTE L. HAYES
United States Attorney

Todd Greenberg

TODD GREENBERG
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